



General Assembly

Amendment

February Session, 2010

LCO No. 5587

HB0502205587HD0

Offered by:

REP. MAZUREK, 80th Dist.

REP. WILLIAMS, 68th Dist.

To: Subst. House Bill No. 5022

File No. 416

Cal. No. 227

"AN ACT CONCERNING A MINOR REVISION TO THE CITIZENS' ELECTION PROGRAM."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (g) of section 9-7a of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2010*):

6 (g) (1) In the case of a written complaint filed with the commission
7 pursuant to section 9-7b on or after January 1, 1988, if the commission
8 does not, by the sixtieth day following receipt of the complaint, either
9 issue a decision or render its determination that probable cause or no
10 probable cause exists for one or more violations of state election laws,
11 the complainant or respondent may apply to the superior court for the
12 judicial district of Hartford for an order to show cause why the
13 commission has not acted upon the complaint and to provide evidence
14 that the commission has unreasonably delayed action. Such

15 proceeding shall be privileged with respect to assignment for trial. The
16 commission shall appear and give appropriate explanation in the
17 matter. The court may, in its discretion, order the commission to: (1)
18 Continue to proceed pursuant to section 9-7b, (2) act by a date certain,
19 or (3) refer the complaint to the Chief State's Attorney. Nothing in this
20 subsection shall require the commission, in any proceeding brought
21 pursuant to this subsection, to disclose records or documents which
22 are not required to be disclosed pursuant to subsection (b) of section 1-
23 210. Nothing in this subsection shall preclude the commission from
24 continuing its investigation or taking any action permitted by section
25 9-7b, unless otherwise ordered by the court. The commission or any
26 other party may, within seven days after a decision by the court under
27 this subsection, file an appeal of the decision with the Appellate Court.

28 (2) On and after January 1, 2011, the commission shall post annually
29 on its Internet web site a complete listing of written complaints filed
30 with the commission pursuant to section 9-7b during the previous
31 year. Such listing shall include a copy of the complaint and the date the
32 complaint was filed, the date of the disposition, if any, of the
33 complaint, and a description of any such disposition."